

4/10/04 (B)

IN THE HIGH COURT OF JUDICATURE, AT-BILASPUR(C.G.)

WRIT PETITION NO.4488 OF 2004

BETWEEN

PETITIONER

DR. M.P. NAVRANG
AGED - 58 YEARS,
SON OF LATE SHRI G. R. NAVRANG
POSTED AS - MEDICAL OFFICER
AT- CIVIL DISPENSARY, (MINI P.H.C.)
LAL BAHADUR NAGAR,
DISTRICT - RAJNANDGAON (C.G.)
R/O- LAL BAHADUR NAGAR,
DISTRICT- RAJNANDGAON (C.G.)

VERSUS

RESPONDENTS

1. STATE OF CHHATTISGARH
THROUGH - THE SECRETARY
PUBLIC HEALTH AND FAMILY
WELFARE, MANTRALAYA
D.K.S. BHAWAN, RAIPUR.

2. CHIEF MEDICAL & HEALTH OFFICER,
AT - RAJNANDGAON (C.G.)
DISTRICT - RAJNANDGAON (C.G.)

WRIT PETITION UNDER ARTICLE- 226 & 227 OF CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER**

: As above in cause title.

2. **PARTICULARS OF THE RESPONDENTS**

: As above in cause title.



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आदेश पत्रक

मामला क्रमांक W.P. 488/ सन् 2004

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	6.4.2005 Shri A. Kesharwani, counsel for the petitioner. Shri U.N.S. Deo, Govt. Advocate for the State. Heard learned counsel for the parties. The petitioner has preferred this petition under Article 226/227 of the Constitution of India questioning the propriety of order dated 26.10.2004 (Annexure P-1) passed by respondent No.1 whereby the petitioner has been transferred from Civil Dispensary (Mini P.H.C.), Lal Bahadur Nagar, District Rajnandgaon to Community Health Center, Chhuikhadan, District Rajnandgaon. Learned counsel for the petitioner submits that the petitioner was transferred in place of one Dr. M.G. Tiwari, who was working as Senior Medical Officer at Community Health Centre, Chhuikhadan. However, vide order-dated 8.11.2004 the transfer order of said Dr. M.G. Tiwari has been cancelled and he was again posted temporarily at Community Health Centre, Chhuikhadan. Counsel further submits that though the petitioner has been relieved from Civil Dispensary, Lal Bahadur Nagar but since the transfer order of said Dr. M.G. Tiwari has been cancelled, the petitioner may be permitted to continue at Lal Bahadur Nagar, Rajnandgaon and in that connection the petitioner may be allowed to make a representation to respondent No.1, to which learned Government Advocate has no objection. Having heard learned counsel for the parties and having regard to the order-dated 8.11.2004 whereby transfer of said Dr. M.G. Tiwari has been cancelled and he has been allowed to continue at Community Health Centre, Chhuikhadan, Rajnandgaon, where the petitioner was transferred, I am of the opinion that there is no place for the petitioner to join at CHC, Chhuikhadan and as such the petitioner has to continue at Civil Dispensary, Lal Bahadur	

आदेश पत्रक

मामला क्रमांक सन् 200

..... विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	-2- Nagar. Accordingly, the petitioner is allowed to make a detailed representation to respondent No.1 within ten days from day raising all his grievances and in turn respondent no.1 shall decide the representation of the petitioner in accordance with law within a period of 15 days after considering all the points raised by the petitioner and particularly, in view of the order dated 8.11.2004 when the order of Dr. M.G. Tiwari has been cancelled and he has been allowed to continue at Chhuikhadan, where the petitioner was transferred, then the petitioner has to be allowed to continue at Civil Dispensary, Lal Bahadur Nagar till any other order is passed. With the above observation and direction, the petition stands disposed of. Consequently, M.W.P. No.4830/04 and I.A. No.9438/04 also stand disposed of. Certified copy as per rules.	Sd/- L.C.BHADOO Judge

(पीछे देखिये)

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